# THE COURTS.

THE GREAT JUMEL ESTATE CASE.

Mr. Nelson Chase on the Stand-He Testifles as to Mr. O'Conor's Integrity with Regard to the Case-The Great Counsellor Accepts No Fees and Repels the Attacks of His Adversaries.

THE FOLEY-PALMER INJUNCTION

Another Struggle Between the Pen That Is Out and the Pen That Is In-Foley Still Writing Himself Down on the Records of the Court-The Case To Be Soon Decided.

EUSINESS IN THE OTHER COURTS.

The he aring of the case of George W. Bowen vs. Nelson Cha se was resumed yesterday in the United States Circuat Court, before Judge Shipman and the special jury. The cross-examination of Mr. Nelson Chase was concl. ded. In the course of yesterday's proceedings it transpired that Mr. O'Conor is giving his profession al services to the defendant without compensation. Mr. O'Conor has placed in the hands of Mr. Chase a release to that effect. The trial was adjourned to Mc uday, when it will be

Captain Voss, of the steam'sh', Pacific, who had been charged with smuggling, has been committed by Commissioner Shields in default or \$3,000 bail. The settlement of the order in the Poley-Palmer injunction matter came up for consideration yesterday, before Judge Barrett, at Supreme Court, Chambers. Mr. Foley's counsel submitted the ance of the late decision of the Court, modifying the injunction. It was finally arranged that the various other counsel submit forms of orders in accordance with their views, and that the same be settled to-day or on Monday.

### THE JUMEL ESTATE CASE.

The Suit of Bowen vs. Chase-The Croas Examination of Mr. Nelson Chase Conch uded-Mr. Charles O'Conor Gives His' Ser vices to the Defendant Gratu-Item ly, and Releases Him from Any Oblig ation to Pay.

The furth or hearing of the case of George Wash-ington Bow, n vs. Nelson Chase was resumed yesterday in the United States Circuit Court before Judge Shipman and the special jury. After the nelusion of n & Tweed trial, in the new Court House across the way, a number of bummers and loafers, who have a othing to do but lounge in every place where they can, find a seat, poured into the court room and filled ht to inconvenience, so much so, indeed, that the air in the apartment, always bad, became perfectly staling.

Mr. Hoar, Mr. Shaffer and Mr. Sawyer appeared

as counsel for the plaintiff and Mr. Charles O'Conor and Mr. J. C. Carter for the de endant.

DEPOSITIONS OF WITH ESSES. Counsel for plaintiff requested an order from the Court to take the depositions of cartain witnesses to be examined on behalf of the platauff.

Mr. J. C. Carter, of counsel for defendant, strongly objected to this application, contending that the plaintin had had abundant opportunity to take all the testimony he wanted.

Judge Shipman said he did not think that at the

present stage of the case he should be called upon to make an order for the examination of witnesses. If testimony was presented to him he would pass

upon its admissibility.
CROSS-EKAMINATION OF MR. NELSON CHASE CONTINUED The further cross-examination of Mr. Nelson Chase, the defendant, was then resumed. He said:—I produce Madame Jumel's family Bible; I think I said at the last trial, not in words but in substance, that Madame Jumel told me my wife, Mary, was her child; on the former trial I do not think I mentioned to Judge Bradford that there was a claimant to the property claiming to be made that communication to him; I have stated that I knew about the statute allowing illegitimate acquainted with that law in a conference with Mr. Charles O'Conor, in the Spring of 1866; I do not acquainted with that law in a conference with Mr. Charles O'Conor, in the Spring of 1866; I do not for the moment remember that I was examined on that question at the last trial; I first heard of G. W. Bowen when Mr. Bevine was down in Providence making his explorations; Mr. O'Conor was in possession of all the facts, and he said he did not tifink the statute applied to grandcalidren; Mr. Chase identified a number of papers which appeared to be checks or warrants signed by Richard B. Connolly as Comptroller and A. O. Hall, Mayor of New York, and endorsed by Mr. Chase; the moneys covered by these warrants were payments to Mr. Chase for laying out a public square in the city; some of the warrants were endorsed Scudder, Carter and Townsend; Mr. Chase said:—Mr. J. C. Carter, of the firm of Scudder & Carter, is my attorney of records and my counsel; I have received the income of this estate since the death of Madame Jumel; Mr. W. B. Wetmore and Mr. William Jones are acting as administrators of the assess; I am receiving about 530,000 a year from the property; I have sold a part of the property, consisting of two houses and icts, for \$24,000; at the end of the will suit I owed Mr. J. C. Carter \$3,000 for his services; Scudder & Carter loaned me \$15,000; that, with the claim for services, was included in bond and mortgage, with the interest; the \$5,000 was for services rendered by Mr. Carter down to the end of the will suit, and the warrant endorsed to Scudder & Carter was for the payment of the money I owed them; I have paid Judge Staples, Mr. Hart and Mr. Bosworth; there was one bond and mortgage held by Madame Jumel for \$16,000 at the time of her death; I received the principal of it, and Madame Jumel got the interest up to the time of her death; I received the principal of it, and Madame Jumel got the interest up to the time of her death; I received the principal of it, and Madame Jumel got the interest up to the time of her death; I received the principal of it, and Madame Jumel got the interest up to the time of

Martin & Smith a rotainer of \$220; they have not appeared in any Court on motions for me since that time.

Q. Have you paid Mr. O'Conor? A. Not a dollar; he has been my counsel and has been acting for me since some short time after the death of Madame Jumel; I never paid him a dollar for his services, except some disbursements that he made for me; I gave him security for his services at one time; I forced or intruded my simple obligation upon him; he declined to receive any compensation in the will suit; after that I drew my bond for \$60,000, and sent it by my son to Mr. O'Conor; on a subsequent occasion Mr. O'Conor ionned me \$15,000, for which I gave him my promissory note; neither that bond, nor that promissory note has been paid; they have been surrendered to me-forced back upon me; I never paid a dollar in the will suit to Mr. O'Conor, and I have his release, stating that as long as he acts as my counsel in this case he will act gratuitously; there is the release producing it.) At this stage of the proceedings there was some applause in Court, which was checked by the Judge.

Mr. Chase went on to say—The date of the note which I gave to Mr. O'Conor is the loth of November, 1868; Mr. O'Conor had loaned me \$10,000; I think the Champlain Bowen suit was then going on, and probably some of these first suits of G. W. Bowen; I borrowed this money, as I had occasion to; on the last trial I think I testified I owed Mr. O'Conor \$75,000; the date of the release the acts day of November, 1872; Mr. O'Conor executed that release to me; he said he would not remain in the case if he was paid—to be blackguarded and vituperated; I hold the release absolutely; the papers in the full ferce in which they express themselves.

Q. In case you succeed in this suit, will you pay him? A. I had formed an intention of paying him; I do not think I am insensible to my obligations; and I know also what my legal condition is in reference to this matter; under this release I do not what he would not; the purport of the release is that he pe

has never the 'ted me for it, but has abused me through the pape. The examination was then continued in relations to his interview with Mrs. Vandervoort, He said—I believe Mrs. Vandervoort dervoort. He said—I believe Mrs. Vandervoort said at my second interview with her, in the presence of Mr. J. C. Carter, in Providence; I Jumel having a son in Providence; I do not think that said mrs. Vandervoort an invitation to visit washington Heights; I do not think that after Mrs. Vandervoort said she heard of Madame havang a son in Providence, i made any reprit that the witness for plainting said on that subject is a sincer lie. The cross-examination was subsequently directed to inquiries touching the age of Madame Jumel and her passports for France. Witness said he did not furnish to the Naw York Henald her notice which appeared therein of the doath of Madame Jumel, and he did not know who did; he did not know that his son William had any difficulty with Madame Jumel in 1856; he thinks that he testified on the last trial, that for a time Madame Jumel in 1856; he thinks that he testified on the last trial, that for a time Madame Jumel in 1856; witness furnished to Mr. Parton, anther of the "life of Aaron Burr," with the information that he was related to Mms. Jumel by marriage—that he had married her nice; he did not describe himself as "a young genteman timid and expe lenced"—that was the author's mode of describing things; never furnished Mr. Parton with the information that Colonel Burr's influence upon his students was bad.

Re-examination that Colonel Burr's influence upon his students was bad.

Re-examinated on the defendant's first wife would affect his interest. Mr. Chase said that when Madame Jumel was going to Europe in 1851 she wanted to take his dangater with fier. He besitated about allowing her to go; she then said that his wife was going to Europe in 1851 she wanted to take his dangater with fier. He besitated about allowing her to go; she then said that his wife was born in 1801; if she were the daughter

Mr. O'Conor said he proposed to show that this property had been conveyed to Mary Jumel by deeds.

Mr. Hoar could not see that the question was material or any issue in this case. They could not prove the conveyance of the property by the declarations of Mr. Jumel. In the course of the discussion that ensued Mr. Hoar made an aliusion to Mr. O'Conor's gratuitous services in this case.

Mr. O'Conor said that when he had been charged with corrupting witnesses and bribing jurors, he determined that he would not submit himself to abuse of that descripton, and would act in the case gratuitously. It had been set up that he was not to be paid unless this case succeeded. That had been set up to make ont that he was in a condition that corruption should be imputed to him. But he did not choose to have that gross impatration put upon him. His learned friend might laugh or grin at that as much as he pleased, Mr. Hoar said he did not expect such a comment on a play ful and small remark.

Mr. O'Conor—A very small remark, indeed. The Court admitted the testimony.

Q. Did Mr. Almel, while he was thus on the premises and yon weng working under him, speak to you of a power of attorney given to Madame Jumel? A. Yes; In 1828 he said to me that under a power of attorney the property had been soid, and that after his death and that of Madame Jumel. He said that the property had been sold out of his hands: that he and Madame had a settlement by which they were to enjoy the property during their hives, and that after their deaths it was to go to Mary, with which he said he was satisfied.

Some Jurther festimony having been given the trial was adjourned to Monday morning, when it

Some further festimony having been given the trial was adjourned to Monday morning, when it will be again resumed.

## THE FOLEY-PALMER INJUNCTION

Forms to be Submitted and the Pina

The settlement of the form of the order in the Foley-Palmer injunction case came up yesterday in Supreme Court, Chambers, before Judge Bar rett. Both Mr. Foley and Mr. Palmer were present as also their respective counsel, Messrs. Anthony R. Dyett, representing the former, and ex-Judge Edmonds the latter. Mr. E. Delafield Smith. the Corporation Counsel, put in likewise an appear auceon behalf of the city, while Mr. John S. Strahan who invariably represents the Comptroller in all his taried litigations, was on hand to defend the legal lights of the last mentioned official.

Mr. Dyett submitted an order drawn by himself, copies of which, he stated, had been served on all copies of which, he stated, had been served on all the opposing counsel. This order, as he expressed it, was drawn up precisely in accordance with the previous dech'on of the Court, which was so modifying the hervious injunction as to permit the banks to pay to the Chamberlain out of interest moneys in their hands sufficient to enable him to pay the salaries allowed by law then due, and to become due, dunng the pendency of the suit, to clerks and assistants in the Chamberlain's office.

Mr. Smith said be ceaired to be heard upon the point that interest money, like other public moneys, should not be paid either by the Comptroller or Chamberlain, except as imperatively demanded by law, upon checks countersigned by the Mayor and Comptroller. He urged that the order should so provide, and that it would be setting a bad precedent for the Count even apparently to sanction the payment of the public money in any other manner.

Mr. Strahan urged the same view of the case, and produced an affidavit of the Cumptroller stating that he was willing to pay the charles of the incumbents of the Chamberlain's office upon proper vouchers, and that he had so hotified the Chamberlain.

Judge Barrett said that a provision should be incorporated in the order that the public moneys should only be paid in accordance with the suggestions of the Corporation Counsel and Mr. Strahan.

PERSONALITIES BETWEEN COUNSEL.

Judge Edmonds (looking daggers, but not using them)—If you are frank now it is the first time you have been so since the commencement of this litigation.

Mr. Strahan (looking sternly savage)—I have not been in this litigratian before. the opposite counsel. This order, as he expressed

gentlemen.

TALKING BUSINESS.

Mr. Dvett (seriously) — As far as Mr. Foley is consected in his position as taxpayer he has only to see to it that the public funds are not wasted. The question now raised by the Corporation Connsel and Mr. Strahan affects only remotely the manner of payment, with which Mr. Foley has no right to interfere.

and Mr. Strahan affects only remotely the manner of payment, with which Mr. Foley has no right to interfere.

Judge Karrett—I so understand it, and I do not see what right the Corporation or the Comptroller have to interfere. They are merely parties to the suit; but Mr. Foley has the right to vacate his injunction if he sees fit.

After some further remarks it was finally agreed that Mr. Dyett's order be submitted to the Court, together with orders by Mr. Smith, Mr. Strahan and Judge Edmonds, with any memoranda of law authorities to which they may respectively wish to call the attention of the Court. The probability is that the order will be settled either to-day or on Monday.

Decisions.

By Judge Barrett.

Remler et al. vs. Arcularius.—Me

SUPERIOR COURT-SPECIAL TERM. Decisions.

By Judge Barbour.

Archer vs. Leckler.—Order of disconting Resemblatt vs. Pacific Fire Insurance Co

Van Nostrand vs. New York Guaranty and Inout vs. Ponvert et al.—Order appointing re-

ceiver.
Raymond vs. Story.—Order granted.
Whittaker vs. Eighth Avenue Railroad Company.—Order that judgment of the Court of Appeals be made the judgment of this Court.
Tyrrell vs. Tinkler.—Order of reference.
Hovey vs. Quick et al.—Order granted.

COURT OF COMMON PLEAS-SPECIAL TERM. Decisions.

By Judge Loew. Brown vs. Robinson.—Proceedings dismissed.
O'Niell vs. Levy.—Motion denied.
Levy vs. Fitzgibbons.—Memorandum for counse

COURT OF APPEALS CALENDAR.

ALBANY, Jan. 31, 1873, The following is the Court of Appeals calendar for February 8:—Nos. 49, 24, 55, 56, 87, 89, 90, 91.

RESIGNATION OF W. J. COBY, OF THE MARINE COURT.

ALEXANDER V. DAVIDSON, Esq., Clerk, &c.:—
DEAR SIR—I hereby tender you my resignation as
Deputy Cerk of the Marine Court, to take effect
on and after the 1st February. Respectfully, &c.,
W. J. CODY.

Mr. Cody, whose resignation is above presented, has been Deputy Clerk in the Marine Court for over eight years, his appointment dating back to the time that the Marine Court was of a very limited jurisdiction compared to that with which it is now clothed, and long before it was a court of record. His own attainments as a law student, and his commendable zeal in making himself sequainted with the peculiar practice of the Court under its old jurisdiction, rendered him an invaluable aid on knotty points to all the young lawyers practising in the Court. His attention to the business of his office, joined with his uniform kindness and urbanity to all who came in contact with him, will cause his retirement to be felt by the Bench, his fellow officials, and the practitioners of the Court. He retires with the good wishes of all. with which it is now clothed, and long

### BOARD OF SUPERVISORS.

auguration of the New Cleaners, Watchmen and Engineers-Surrender of the Armory of the Eighty-fourth

A meeting of the above Board was held yesterday afternoon, when there were present a full attend ance of the Board, Mayor Havemeyer in the chair, after making the under mentioned announce ment:-THE COMMITTEE ON LEGISLATION.

following as the Committee on Legislation:-Su-

The MAYOR announced that he had appointed the following as the Committee on Legislation:—Supervisors Monhelmer, McCafferty, Vance, Ottendorfer and Cooper.

MORE FIREMEN REQUIRED.

A requisition was received from the engineer of the Court House asking for six additional firemen to be appointed for service. The resolution was referred to the Committee on County Offices, with power to appoint. The vote was passed. Supervisor Ottendorfer voted in the negative and Supervisor McCafferty declined to vote.

The Armory of the Reference of the English of the Supervisor McCafferty declined to vote.

The Armory of the Reference of the Supervisor of the lease of the building 694 Broadway, corner of Fourth street, asking for the surrender of the lease of this building, made by him to Colonal Sterry, and which the latter had lease do the city for five years. Mr. Kirby required the surrender of the lease on the 1st of May next. On the motion of Recorder Hackett the requisition was referred to the Committee on Armories.

The New Executors for Carr of County Offices.

The Committee on County Offices presented the report read at the last meeting, in which the number and names of cleaners, watchmen, engineers, &c., were given. The report was adopted, ten voting in the ammative, four in the negative.

An Additional Janifor for County Clerk's Carry of the surrender of the surrender of the grain of the surrender of the surrender of the surrender of the lease of the surrender of the surrender of the lease of the lease of the surrender of the lease of the lease of the surrender of the lease of the lease

It was resolved that an additional janitor be ap-pointed to the County Clerk, for the purpose of taking care of the documents in the Supreme Court, at a salary of \$1,000 per year.

Court, at a salary of \$1,000 per year.

CONTRACT FOR FRINTING.

The Committee on Printing and Stationery recommended that the contract for the printing of the minutes of the Board be given to Messrs. Bryant & Co. The recommendation was adopted.

FUTURE BAYS OF MESTING.

It was resolved that the future meeting days of this Board shall be on Mondays, at three o'clock.

The Board adjourned at five o'clock.

# A STIALL WHISKEY WAR IN GEORGIA

tillers in Forsyth County-One Man Killed and Others Wounded.

The Atlanta (Ga.) papers of the 27th uit. give details of the skirmish between United States Marshals and citizens at Strickland's Ferry, Porsyth county, on Saturday, brief mention of which was made by telegraph. It seems that the deputy mar-

The party had stopped at Mr. Strickland's house on the morning referred to for the purpose of get-ting breakfast. While at the table Blacker saw four men ride by, and at once recognized one of

it is reported here to-day that another of the four had died. The three who were not killed made their escape.

Captain Blacker was sent on to Cumming and placed under the care of a physician, who had probed his wound, but had not been able to find the ball up to the time our informant left. The seven prisoners he had in charge were placed in the Cumming jail.

The marshais think that the four men intended waylaying them between the house and ferry, and that there was a preconcerted plan to rescue the seven men who were prisoners. They came upon Blacker's party unawares, and at once commenced the fight. A deputy reports that it was a regular picket fight, and the men had evidently been under fire before. A man with a long squirrel rife was the one who shot Captain Blacker, as he saw him kneel and take deliberate aim at him. Blacker, when hit, was taking a tree on one of the others, and, running from one tree to another, he exposed himself, and the ball entered just above the hip bone. Deputy Marshal James Finlay, of Gainesville, had a charge of buckshot through his coat sleeve and skirt. The marshals report a number of lilicit distilieries in that section, and further trouble is anticipated in the event of arrests being attempted by the United States officials.

# THE JUVENILE GUARDIAN SOCIETY.

A meeting of the directors of the New York Juvenile Guardian Society was held yesterday at their dewntown office, 25 Park row, when the Secretary ade the following exhibit of their work:-

made the following exhibit of their work:—
The society occupies three different localities in the city as centres of charitable operations—"in, 10! Eight street, 20? Bowery and 25 Park row. At these three points provisions are dispensed to some 400 poor children addition to the care and instruction in their industria and mission schools of over six hundred other children. At No. 25 Park row two hundred and fifty to ove three hundred warm dimers are given daily to new tools weather. The demand at all these places for provisions and clothes is very urgent indeed. Surely, any argument in favor of enabling the society to help so many sungry, poorly clad and neglected children is unneces ary here.

The report was adopted and the cleaners where.

ry here.
The report was adopted and the directors resolved still the attention of benevolent citizens to its presenork and claims, and earnestly solicit their aid in suining the work, and to that end directed these proceedings to be sent to the daily papers of the city for published.

Treasurer, 32 Wall street; New York.

23 Hoodway; Mearty forwish B. Cary, 11 Wall.

24 Hoodway; Mearty forwish B. Cary, 11 Wall.

25 Hoodway; Mearty forwish B. Cary, 11 Wall.

26 Hoodway; Mears, 27 M. Hongy, 6ther to the color target forwish B. Cary, 11 Wall.

26 Hoodway; Mears, 27 M. Hongy, 6ther target forwish B. Cary, 11 Wall.

27 Hoodway; Mears, 27 Hongy, 12 H

. Ago.
The Board of Health yesterday afternoon re-

quested Coroner Herrman to hold an inquest on the body of Edward Douglass, a man forty-six years of age, who died in Bellevue hospital a few hours previously. Dr. Corrigan, one of the Hospital sur-geons, certified that Mr. Douglass died, first, from infammation of the dura mater of the brain, arisinflammation of the dura mater of the brain, arising from a blow on the head without fracture, in May, 1870, and second, dropay of the lateral ventricles of the brain. It was stated that at the time named deceased was engaged in a fight, but where or with whom did not appear, and before it was over received a stunning blow on the head with some kind of a weapon, which partially disabled him. Deputy Coroner Cushman will confer with the police authorities with the view of learning the name and whereabouts of the guilty party, whose arrest to await the result of an investigation is particularly desirable. The late residence of Mr. Douglass did not transpire.

## AQUATIC.

Eben Loses, of the Atalantas, Responds to George A'nglehardt's Late Sweeping Challenge—losce Ready to Meet Him Next Season if He Proves Himself an

Mr. Eben Losee, the well known oarsman of the Atalanta Boat Club, has very quickly paid his respects to the late bold challenge of Mr. George Englehardt, as published in the Herald, and connexed letter. Losee is evid ently right in asking Englehardt to qualify as an 'amateur' before th diciary Committee of the Mational Association and should he do so Eben will give him a race of three miles, in June next, over a course to be mu tually settled upon, not for an "ama, eur champion medal," but for "glory and the championship," a amateurs do not row, either directly of indirectly for money. Come, Englehardt, quality. "Tis easily done. Mr. Losee's acceptance is as follows:

amateurs do not row, either directly of indirectly, for money. Come, Engichardt, qualify. Tis casily done. Mr. Losee's acceptance is as follows:

Seeing in the Herald and other dapers on Friedry last what I take to be a challenge from George Engichardt, to row all amateurs, myself included, any kind of a race. I teel called upon to say a tow words—particularly as the challenge places me nowhere with the others, law last the impression upon the uninds of my friends and in the company of the challenge places me nowhere with the others, law last the impression upon the uninds of my friends and in the challenge places me nowhere with the others, law last the impression upon the uninds of my friends and in the company of the challenge places me nowhere with the others, law in the company of the company had been dead to the consculive years, was eas it woo, and that I am no onsome the consculive years, was eas it woo, and that I am no onsome can 'get away' with that same champion belt. There's where they make a mistake.

I have never thought it possible that I could out-row all, but think I do pretty well, considering that I scale only 168 pounds in rowing trim.

Notwithstanding what Mr. Englehardt or his intimate friends may say, and sôme of our sporting papers would like the public believe, may I ask, is he an a atour, or, like a lew others I might mention, trying to parade himself as sach! I certainly have my doubts about it, and probably others have, which may account for him not rowing as many races as he would wish.

He has been objected to in one regata, at least, and then allowed to row because at that time no particular definition of an 'amateur' could be agreed upon. Since that time a National Convention met in this city and the explicitly defined what an amateur should be, electing of the Control of the country, and will be studed by these rules quasiton whelligen men whose duty it is to decide "the low to when he amateur double be greed upon."

The club to which belong controled his sudded by these rules

The Nautilus Boat Club are now having built at Kyle's, by McKay, a four-oared shell. The new boat house of the Gramercy Club has been considerably injured lately. One of the spars on which it rests is broken, and the rear part of the float is much disturbed in consequence. The Atalanta Club will erect a house on the Har-lem River before the opening of the boating season The Herald Boat Club has been recently organized.

## HORSE NOTES.

The Saratoga Association have issued their programme of racing for next Summer. They devote eleven days to the sport-commencing on the 24th added money to the stakes given by the associa tion will amount to about \$28,000.

The entries for the Canadian Derby number twenty, some of them from very fine families. H is the intention of the Barrie Park to give three days' racing—commencing on the 1st and continu-ing on the 2d and 3d of July next. The Queen's Plate (fifty guineas) for Province-bred horses that

purses.

The National Trotting Association for the promotion of the interests of the American trotting turf will hold its annual meeting in Philadelphia on the 7th instant.

turr will floid its annual meeting in Philadelphia on the 7th instant.

The prospect of good racing over the Tenbroeck course, at Savannah, commencing next Tuesday, and continuing four days, is extremely favorable. The track at last accounts was in good order and the horses in fine condition.

The trotting stallion Byron has been sold to Mr. Reid, of Eric, for \$12,000.

Messrs. Webber & Worcester have become the managers of the Beacon Park, Boston.

The trotting gelding Dreadhought has been sold to a gentleman at White Plains, Westchester county, for \$17,000.

Stephen Wallace, of Washington Market, has purchased the trotting gelding Kingston for \$10,000.

# Winners of \$1,000 and Upwards in the

[From the Turf,	Field and Farm.I
Name of Owner. Amount.	Name of Owner. Amount.
D. McDaniel & Co \$61,180	Owner \$2,000
A. Belmont 21,610	John Morrissey 1,990
M. H. Sauford 19,350	John O'Donnell 1,990
Rice & McCormack 13,375	C. G. Dempsey 1,910
Joseph Donohue 12,535	J. D. Rose 1,875
H. P. McGrath 8,610	A. C. St. John *1,800
M. A. Littell 8,300	T. H. Ward 1.795
Bacon & Holland 7,665	R. W. Walden 1,665
William Cottrill 7,510	Ed. Harrison *1,650
John Harper 6,965	W. H. Stanhope 1,650
Coffin & Lawrence 6,625	Capt. G. W. Stewart. 1.600
D. R. Harness 5,700	General A. Buford 1,600
Thomas Clark 4,675	John Boughram 1,570
Governor O. Bowie 4,650	J. W. Weldon 1.530
D. C. Kenney & Co 4,100	J. F. Chamberlin 1,475
A. Turner 4,000	J. Moynahans 1,470
G. Cadwallades 3,640	Gen. G. W. Harding 1,460
Carroll & Coar 3,225	J. J. Crowley 1,450
D. J. Bannatyne 2,950	J. B. & W. R. Davis. 1,440
Hunter & Travers 2,900	James Coff 1,325
S. M. Reynolds 2,750	J. W. Hunt Reynolds. 1,315
D. Swigert 2,600	Robinson & Morgan. 1,300
Boyd & Ward 2,600	John Tyne 1,300
D. D. Withers 2,530	W. H. Williamson 1,250
A. C. Franklin 2,530	H. C. Dawson 1,220
F. Morris 2,450	John Higgins 1,200
James Thompson 2,400	E. M. McGee 1.188
D. J. Crouse 2,375	Eagle & Co 1,175
Robert Scott 2,358	T. H. Summer 1.135
J. W. Doswell 2,310	Grinstead & Clark 1,100
Captain Johnson 2,250	William Patrick 1.000
William Jennings 2,175	Izzard Ward 1,050
H. B. Foley 2,150	J. G. Ballentine 1.025
W. R. Babcock 2,075	J. Dickerson 1,000
H. Walsh 2,050	Mr. Cardinells 1.000
Judge Mee 2,000	
. Besides a Cup each.	
The state of the s	

# TROTTING IN CALIFORNIA.

AGRICULTURAL PARK, SAN FRANCISCO, Jan. 21.— Tretting; mile heats, three in five, to wagons. Purse, #159. O. A. Hickok enters g. m. Lady Grant, to W. H. Burditt enters b. g. Democrat, to J. W. Dickey enters b. m. Lady Mace, to

# REFORM IN HUNGARY.

[From the Eastern Budget.]

(From the Eastern Budget.)

A remarkable speech was made on the 1st of January by the Hungarian patriot Deak in reply to the good wishes addressed to him by his party for the next year. The President, M. Bilbo, having referred to the reports which have been lately current as to the approaching dissolution of the Deak party, Deak replied in these words:—"Much, very much is still wanted in this country; the end lies in the hands of God, but it is our duty to do all that seems to us most desirable and practical bie. One of the greatest difficulties of successfuwork lies in the fact that our wishes and hopes are greater than the strength we possess for their realization. This, unfortunately, is very much the case with us in Hungary. We have many arrears to make up, and we cannot, just because the necessity for reform is so generally and strongly felt, at once obtain that at which other nations have labored for centuries. We do not possess sufficient tranquility and circumspection to swait the development of events and the regular consequences of our work; we would gladly obtain everything at once in a short time. Phave already observed, and I cannot repeat it too often, that the very nature of reforms, if they are to be practical, requires the first step which is taken to be a preparation for the next, and that that which would be impracticable to-day would, if properly prepared for, be much more easily done a year of two hence.

\* \* \* Of the blessings which I pray that Providence may grant you the greatest is that we should be indefatigable in our zeal, but, above all, that we should be united. Without this is that we should be fruitless." Similar visits were paid to the radical leaders, Koloman Ghyezy and Koloman Tilza, by the leaders of the Left, who also urged the members of their party to remain united.

An Elofing Pair,—An officer from Hamilton, Canada, arrived in this city this morning in pursuit

## THE SANDWICH ISLANDS

Why the Hawaiian Group Should Be Let Alone—Their Wish and Capacity for Independence—American Interests Do Not Require Annexation.

TO THE EDITOR OF THE HERALD:-The appearance of a telegram from San Francisc in this morning's issue, announcing the election of Prince Lunalile to the vacant throne of the Sandwick Islands, induces me to give you a few facts regarding that just at present interesting

Notwithstanding the numerous histories, de scriptions, and letters that have been written concerning the group of islands discovered by Captain Cook, and by him called in honor of the Earl of Sandwich, but little is generally known and understood even by those who pretend to read the papers and keep up with the times. This may be partially accounted for by the fact that writers are not always masters of their subjects, and like your Washington correspondent, "Defender," some times err through ignorance, or like that eminent fact and fiction, rather than spoil an intended joke. But to the far seeing statesman, who looks upon the map of the world as upon a chess board, these islands have long been regarded with in as a strong, strategic point relative to the Pacific Coast. The project of annexation to the United States is by no means a new one, although the chances for and effects of such action are no

Your correspondent seems to think, with many others, that Uncle Sam has nothing to do but open his arms and the "Belle of the Tropics" will rush to his embrace. But with the present deplorable condition of Louisiana before our eyes we Americans who have our means invested in the soil of these fair islands will, perhaps, be somewhat slow "to give up all the good we have , for the desperate chance of something better" in the future. We are none the less Americans and none the less willing to fight in the future, as in the past, for our native country when danger shall assaul her, but we do object to putting our property in the care of those who seem to be so little able to protect their present charge. Up to the time of the death of the late King the islands were governed by laws patterned after those of the United States and England, the government composed of representatives elected by the people and nobles created by the Ring. The death of Kamehamela V. without naming his successor left the country without naming his successor left the country without a legal head, until the Legislature or Parliament could be called together and cleet a King, as provided by the constitution. Prince Lunalilo, who has received the popular vote of the people, and who has probably ere this been endorsed by the Legislature Assembly, has always been regarded as the rightful heir to the throne, and looked upon by foreign residents as one of the most intelligent, as well as liberal minded, natives of the country. And so long as the race remains to inhabit the country, under the rule of a native prince, no unprejudiced foreigner will object to the choice. There are no parties of "monarchists" and "republicans," as "Defender" calls them, "striving to possess them selves of the government," unless pot-house politicians of little character or influence should be so named. The desire of all sensible foreigners living upon the islands is to see such form of government as shall secure the greatest good to the greatest number. The native population is rapidly decreasing, and the necessary labor for the development of the agricultural resources of the country is being drawn from China, Japan and elsewhere. It is a grave question whether this mixed population could be trusted with all the privileges and franchises of "republicans" without danger to the rights and interests of the white foreigners, who have invested their means and given their time to the development of the country. The richness of the soil and the saluprity of the climate render hard work unnecessary for mere exis country when danger shall assaul her, but we do object to putting our property in the care of those

candes the chance of competation. So the "labor law" must remain in force, or the plantations must be abandoned.

Since the almost annihilation of the whaling fleet, which in former times rendezvoused at Honolulu, the cultivation of sugar cane is the most important industry of the country. But so small is the proportion of arable land, and it is so hard to induce the natives to work beyond the actual requirements of life, that the present product of sugar is only about twelve thousand tons per annum. The island of Maul produces over two thirds of this amount, and is considered the best sugar land of the group; yet few of its plantations have been profitable to the owners or rewarded the investments made in them.

The country is mountainous and mostly barren, and its development would require the expenditure of a great amount of money is reads, breakwaters, bridges, &c. Its value to the United States would not be in its productions. The situation of the group is its importance. Occupied by one of

of the country, and they now well understand that any act on their part looking that way would spring a mine to which the Alabama claims would be but a fire cracker.

What the islands want is free intercourse with the United States, abolishing all duties on each side, and the benefit of American capital and energy. In return, or, in other words, as a consequence of such intercourse, the United States would have such privileges in establishing navail depots, &c., as would prevent any other Power from ever taking possession of the islands or rendezvousing there a feet with which to strike or menace the Pacific coast.

depots, &c., as would prevent any other Power from ever taking possession of the islands or rendezvousing there a fleet with which to strike or menace the Pacific coast.

There has been no time when such arrangement could not be made. In fact, the islands were once offered to the United States, but the negotiations were "nipped in the bud?" by the Secretary of State, who feared the addition of what might be made slave territory. Prince Lunalilo is known to be favorable to any project which would benefit the islands by bringing them into closer relations with the United States, and while desiring to maintain their sovereignty, would freely accord any privileges that might be necessary to establish depots, docks, &c., for the use of American vessels.

The United States have been unfortunate in their diplomatic representatives to the islands, and American influence has waned somewhat on that account. But so preposterous is the idea that any other government should form a close alliance with the island kingdom that even the English residents scout it, and not all the examples of backwoods politicians or broken-down traders, sent by Uncle Sam to represent the great American people, can efface the fact that the United States are and ought to be the first and best friends of Hawaii.

Let the President and his Secretary pay some

States are and ought to be the first and best friends of Hawaii.

Let the President and his Secretary pay some attention to the off-repeated representations of Americans who know something of the islands, and let a plan be placed before Congress which will be worthy the attention of that body as effectually settling the question of precedence of interest in the islands—no "reciprocity treaty" made by the tools of the San Francisco sugar refiners to rob the Treasury of duties and enrich the schemers, but a treaty which shall benefit the producer and consumer alike and establish a friendship so warm and lasting that the two countries shall be one in everything but name.

AN AMERICAN RESIDENT.

New York, Jan. 30, 1873.

STARTLING Scene in a Menagerie.—The Swiss Times of December 23 says that at the menagerie of Signori Bidel and Fairnali, at Turin, on Manday evening, the audience were treated to a performance not announced in the bills. Signor Bidel, the famous lion-tamer, entered, as usual, a large cage, in which were lions, lionesses, bears, hyenas and a lamb. After the feats of leaping, &c., ordinarily shown in such exhibitions, the grand feature consisted in the simultaneous approach of the wild animals to the lamb and the exchange of the "kiss of fraternity." This was accomplished successfully, the animals methodically touching noses and then gravely stalking back to their places. The performance was to close with putting the lamb's head in the mouth of a lion. No sconer had the jaws closed upon the head of the animal than it was evident by the cyes and movement of the tail of the lion that foul play was threatened, and before a word of command could be given streams of blood were running from his mouth. Children screamed and women faited, but fortunately the panic was of short duration. Signor Bidel, with a tremendous blow on the throat of the lion and a shout of command, forced the half-wild animal to relinquish his victim, and, although rouring fearfully, he sullenly obeyed the fixed eye and gesture of his master, retiring into a carner of the cage. But, to the renewed herror of the people, in dealing with the lion he had turned his back on the lioness, who, with a howl of rage, leaped upon his back. Fortunately for Bidel wer claws and tecth entered his clothing only, any with a spring and cry he leaped from under her, at the same time striking right and left with his lowled whip, forcing the animals to the front of the cage. There was an instant of hesitation and submix-gion on the part of the latter, during which Bidel, revolver in hand, unfastened the cage and back-d himself out of it. Seeing himself, the reaction of the audience was tremendous, and the oheer, that greeted his appearance we

# STEERAGE ABUSES

in the letter which you distinct the British in this morning's Herald I que. The from the British Passenger act quite enough to she, we the spirit with which Great Britain protects emigrants from her

shores. The Passenger act is strictly enforced

TO THE HOITOR OF THE "BRALD:"
In the letter which you die 'me the favor to print

upon all vessels carrying more than fire adult passengers, and no vessel can depart from a half-ish harbor with a larger number of steerage passen-gers on board without conforming to the provisions she takes her departure. If the ship should proceed to a British colonial port and violate any of the conditions of the act during her voyage, the aggrieved passengers have their Justices of the Peace of the colony; thus emigrante from Great Britain or Ireland landing in Canada, at hand at their port of arrival, while those landing at New York can seek redress only in the courts passengers are in a position to return to that country to prosecute their claims the remedy of an appeal to British courts through the British Emigration Board is practically inoperative and useless to the injured immigrant who may land in the United States. Protection for the emigrant against violations of the passenger contract, either through insufficient accommodation or food or ill treatment during the voyage, can only be secured by a tribunal at the port of arrival easily accessible to the emigrant and nully authorized to hear complaints and enforce redress for established wrongs suffered upon the voyage. It is suggested that a free appeal to the minor local courts would lend to many frivolous and unfair complaints against the emigrant vessels, and might entail serious loss upon their owners, and incidentaily increase the rate of passage, by adding to the expenses of the steamers engaged in the trade. As any advance in the passage money inflicts a penaity upon the whole body of emigrants, this is a contingency which should be carefully guarded against. The greatest boon which can be conferred upon nine-tenths of the immigrants to our shores is a cheap passage across the ocean; and I venture the opinion that no radical change can be made in the system which now subsists, and is faithfully carried out on the leading German and British steamship lines, without enhancing the price of a steerage passage and to some extent discouraging emigration. It is therefore lighly necessary—in the laterests of the emigrants themselves—to guard the emigrant carrier from the abuses of unfair or vexatious litigation for blackmailing threats of prosecution on frivolous or trumped-up charges. Some arrangement which would fairly protect the interests of all parties can, no doubt, be devised. For example, let a complaint against an offending ship be made in the first instance to the Commissioners of Emigration, and empower those Commissioners of Emigration, and empower those Commissioners, or any two of them, to such passenger and the passenger and the emigrant as well as the st try to prosecute their claims the remedy of an aption Board is practically inoperative and useless to

## THE ARGONAUT OUTRAGE.

The Testimony of the Captain and One of

the Cabin Passengers.

The examination into the affairs of the emigrant day afternoon before Commissioners Hart and For-rest. Captain Steengrafe, of the Argonaut, was the first witness called. He acknowledged having hit Schoop, and states that he is the only one he ever hit; he gives as his reason that this man broke into the eargo of the ship and stole therefrom beer and dried cherries, for which therefrom beer and dried cherries, for wh
the captain is in person responsible;
slapped him in the face, because
was impudent along with being dishonest, "I p
him in irons," said the Captain, "so as to make
example of him to the other passengers;" I w
never intoxicated while on shipboard; a wom
in the steerage told me that she saw Schoop goi
into the storeroom and taking therefrom dr
cherries; he afterwards threatened to throw t
woman overboard, and would have done so ha
tot taken her into the second capin; I persor, we cherries; he afterwards threatened to throw this woman overboard, and would have done so had I not taken her into the second cabin; I never was without my senses on the ship; I was on deck the day Tabasko was lost; he went overboard about five minutes after Heft the deck to go below; the day was a stormy one, and I ordered all the hatches closed and the passengers between decks; I do not know how it was that Tabasko was on deck; passengers are always required to help the cook; I furnished the passengers molasses in their soup and superintended the distribution of victuals; I never had such a stormy voyage nor so dirty and sulky a ship of passengers; they had little or no clothes, and all they owned in the world was done up in bundles; it is my experience that Poles eat about twice as much as other men.

Mr. Schron, one of the cabin passengers, was next called. He never saw the captain drunk, and knew that the passengers were a filthy lot; as far as he knew the captain was a kind and considerate man.

The examination was adjourned until three o'clock to-day, when the last witnesses will be examined.

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